

A regular meeting of the Board of Selectmen was held on Thursday, November 19, 2010, at 7:30 p.m., in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts.

Present were:

Michael L. Butler
Sarah MacDonald
James A. MacDonald
Carmen Dellolacono
Paul Reynolds

Mr. Butler called the meeting to order at 7:34 p.m.

OPEN DISCUSSION

Sam Celata, 42 Stoughton Road, asked the Board for permission to speak. Mr. Butler granted permission. Mr. Celata thanked the Board of Selectmen and Town Administrator's Staff for their assistance at the Special Town Meeting. Mr. Celata asked if he could be placed on an upcoming Selectmen's Agenda.

Mr. Celata had concerns with the Town Clerk's Office and the elections. Mr. Celata stated that some citizens in Town did not vote in the last election. Mr. Celata asked the Selectmen's for permission to distribute Absentee Ballots. Mr. Butler commented that he would look into it; however, he believed that the Registrar of Voters handles this matter. Mr. Butler suggested that Mr. Celata speak with the Registrar of Voters. Mr. Butler went on to say that the Board of Selectmen does not have jurisdiction over this matter. Mr. Butler informed Mr. Celata that, on his behalf, he would help set up a meeting and draft a letter to the Town Clerk and/or Registrar of Voters.

Mr. Dellolacono informed Mr. Celata that Town Clerk works strictly for the voters of Dedham. He added—Mr. Munchbach, Town Clerk, is a good man and will sit down and speak with him. Mr. Dellolacono and Mr. Butler informed Mr. Celata that they will both speak with Mr. Munchbach tomorrow and bring the two parties together.

Mr. Celata also had concerns with the split vote at Town Meeting relative to the kids and Avery School Project. Respectfully, Mr. Butler informed Mr. Celata that the Board could not take action on his request-- it was not the Selectmen's jurisdiction. Once again, Mr. Butler informed Mr. Celata that he would assist with Town Clerk. Mr. Butler thanked Mr. Celata for his participation.

REQUEST FOR CHANGE OF MANAGER, LEGAL SEA FOODS, 230 LEGACY PLACE, DEDHAM, MA, PATRICK M. KEEFE, MANAGER

Representing Legal Sea Foods was: Patrick M. Keefe, Manager

Mr. Keefe informed the Board of Selectmen that he has been employed by Legal Sea Foods for many years. Additionally, he has been employed by the Windham Hotel and Hilton/Boston Hotel. Mr. Keefe went on to say that he attended Newbury College and has experience in the entire restaurant, food and liquor business. Mr. Keefe informed the Board that he resides in Revere, Massachusetts.

Mr. MacDonald asked Mr. Keefe if he had special experience with liquor. Mr. Keefe informed all that his main responsibility at the Framingham Legal was culinary; however, he was the Area Chef/Director. He oversaw all aspects of the establishment in Framingham beyond the kitchen, including liquor, staff, etc. Mr. Keefe went on to say that during his 1 ½ years as manager at the Legal Sea Foods in Framingham, there were no incidences. Mr. Keefe commented that he will have similar responsibilities at the Dedham Legal Sea Foods.

Mr. Keefe informed all that his past experiences included working at his family-owned restaurants. During this time, he worked as a waiter and other positions. Additionally, he has had quite a bit of experience in the restaurant industry.

Mr. Dellolacono asked Mr. Keefe what type of manager he will be at the Dedham Legal Sea Foods. Mr. Keefe responded that he will be the highest manager at the establishment. Mr. Dellolacono asked Mr. Keefe if his name was on any other Liquor License in Massachusetts. Mr. Keefe responded, “no”. Additionally, he is not listed as Manager of Record on the license in Framingham any longer. Mr. Dellolacono asked if Mr. Keefe was TIPS Certified. Mr. Keefe commented that is was part of the Legal Sea Foods Manager Training Program and has handled various duties. Mr. Dellolacono asked Mr. Keefe if he was familiar with the Rules and Regulations for Holders of Liquor Licenses in the Town of Dedham. Mr. Keefe responded, yes—he read them three times.

Mr. MacDonald made a motion to approve Patrick M. Keefe, Manager of Record, for Legal Sea Foods, 230 Legacy Place, Dedham, MA; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. Butler asked Mr. Keefe the opening date for the restaurant. Mr. Keefe informed all that their plans are to open on December 15, 2009.

REQUEST FOR CHANGE OF MANAGER, HILTON AT DEDHAM PLACE, 25 ALLIED DRIVE, DEDHAM, MA, ROBERT JACKSON, JR., MANAGER

Representing Hilton at Dedham Place was: Robert Jackson, Jr., Manager

Mr. Butler asked Mr. Jackson if he read the Rules and Regulations for Holders of Alcoholic Beverage Licenses in the Town of Dedham. Mr. Jackson responded, “yes”. Mr. Butler asked if there were any violations while he was manager at his previous employment, Providence Marriot. Mr. Jackson responded, “There were no violations”.

Mr. MacDonald made a motion to approve Robert Jackson, Jr., Manager of Record, for the Hilton at Dedham Place, 25 Allied Drive, Dedham, MA; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

DISCUSSION RE: TRAFFIC CLAIMING POLICY

Ms. MacDonald gave all an overview and quick highlights of the first draft Traffic Claiming Policy. Mr. Butler asked if anyone had questions or comments.

Mr. MacDonald commented that the Transportation Advisory Committee was a good start. *The Transportation Advisory Committee will consist of 8 members (5 voting). The Committee will include

the following: Director of Public Works, Ex-Officio (non-voting); Director of Engineering, Ex-Officio (non-voting); Police Chief, or designee, Ex-Officio (non-voting), Member of the Board of Selectmen, Ex-Officio; (1) Member Planning Board Appointee; and (3) Town Administrator Appointees. Each member shall be a resident of the Town of Dedham especially fitted by education, training and experience. The term of service is three years with the term of one member to expire each year. Members shall elect their chairman and secretary each year.*

Mr. MacDonald went on to say that issues come up frequently that need to be addressed. Additionally, many valuable residents know what is going on throughout the Town and they want to serve. Mr. MacDonald mentioned the broad variety of citizens they have chosen recently to serve on committees.

Mr. Reynolds commented that he believed this was a terrific move and it was a very thoughtful plan. Mr. Reynolds was very supportive of the Traffic Calming Policy.

Mr. Dellolacono asked Ms. MacDonald who the Advisory Board reports to—Ms. MacDonald informed all that this has to be defined, i.e., where does the Board of Selectmen step in to approve, what is traffic calming, reducing street size, intersections, etc.

Ms. MacDonald asked David Field, Director of Engineering if the Engineering Department has the resources. Mr. Field's response was as time allows he will try. He informed the Board that his staff could do the initial screenings; however, they might not get to everything immediately.

Mr. Butler thanked all and asked that this matter be brought up again at a later date.

GENERAL UPDATES

Single Stream—William Keegan, Town Administrator, informed the Board that the first week into the program has gone generally well; however, they have run into a few issues. Mr. Keegan was pleased to report that all is going well. Mr. Keegan went on to say that the biggest request from residents was exchanging the larger barrels for 32 gallon toters—155 residents are on a Waiting List. Mr. Keegan informed all that the strategy is to develop a deadline of December 31, 2009, to order the smaller barrels. Residents have made requests; however, Senior Citizens have made most of the requests. Mr. Keegan commented that everyone on the list will receive a request letter/form; and to qualify, one must be living alone or a Senior Citizen. The forms must be returned to the Town by December 31, 2009. On January 2, 2010, requests will be reviewed. It will take some time before the order is filled. Mr. Keegan asked Senior Citizens to contact the Council on Aging to assist with the barrel requests.

Mr. Keegan, once again, went through the time line-- i.e., December 1, 2009, Letters to be placed on Waiting List, December 31, 2009, Forms returned back to the office, and January 2, 2010 Evaluation of forms. Mr. Keegan informed the Board that the Town has been very responsive and accommodating to the residents. He went on to say that Dedham is the only community in this type of program that offers 32 gallon barrels—most towns give out the 65 and 95 gallon barrels, and there are no options.

Ms. MacDonald thanked the Town Administrator and his staff for answering all of the phone calls. Ms. MacDonald also thanked Rita Kalcos, Council on Aging Director, and the Neighbor to Neighbor Program.

Mr. Dellolacono asked Mr. Keegan when the 2nd barrel requests will begin. Mr. Keegan informed him that, presently, he is taking a list of names—they have not been ordered as yet. Mr. Keegan mentioned that extra barrels would be \$50.00 each.

Mr. Keegan, Town Administrator, informed the Board that there is no conclusion as to what to do with additional barrels. He needs to find some space to store the barrels due to the fact that residents will move in and out and the Town will have to provide barrels—the barrels will go with the property.

Mr. Keegan thanked the Administrator's Staff, the DPW Staff and Virginia LeClair, Environmental Coordinator, for their assistance this week with the new program.

Mr. Butler asked Mr. Keegan to qualify the 155 residents as quickly as possible. He asked that the process not be dragged out.

Mr. MacDonald asked how long it will take to assemble the trash barrels once the Town receives them. Mr. Keegan informed all that the barrels will be assembled in St. Mary's Parking Lot on High Street. Additionally, Russell Disposal may not use the same company they used initially because this new order is much smaller.

SMA/Dolan Fields – Mr. Keegan informed the Board that he speaks with Pat Maguire, Landscape Architect, on a daily basis relative to evaluation of the progress of the fields. He went on to say that the turf field was installed and looks great, the backstop poles have been installed, roadway curbing has been installed, concrete stairs have been poured and overhead wires and pole removed. Mr. Keegan was pleased to say that the project is moving along nicely—better than anticipated. Mr. MacDonald concurred that the project is coming along well. Mr. Butler commented that he is looking forward to the spring.

TOWN ADMINISTRATOR'S REPORT

William Keegan, Town Administrator, informed all of the following:

-Dedham Civic Connections will be holding an event at Vinny T's on December 1, 2009—everyone is welcome to attend.

-Mr. Keegan will start the FY2011 Budget soon. Additionally, he will start looking at capital projects as well.

-Mr. Keegan informed all that the Finance Committee is looking at staffing levels and to reorganize functions—they will start discussions soon.

-Mr. Keegan commented that FY2011 will be tough. Additionally, the Governor's Budget will be out on January 29, 2010—the Town Administrator expects some real pain. He asked that everyone keep the entire picture in order. He did not know what will happen in future. Mr. Keegan felt that FY2011 and FY2012 will be painful; however, he will do what he can.

-Mr. Keegan informed the Board that he met with Legacy Place management staff this morning to discuss traffic management relative to Black Friday next week—the Police Department are also working closing with Legacy Place management.

VOTE TO CALL A SPECIAL ELECTION

Present: Andy Lawlor, Chairman, SBRC—Mr. Lawlor gave the Board and audience some background relative to Ballot Question 1 and Ballot Question 2. He commented that SBRC approached the SBA to see if they could bundle both projects together on the Warrant Article for the Special Town Meeting. He went on to say that due to grant rules, the SBA refused their request. Relative to the two questions, Mr. Lawlor informed the Board that if the Avery School Question fails and the Athletic Complex Question passes, the ballot is void. Additionally, the STM Warrant Article is contingent upon the Avery School Question passing. If the Town voters want the field, the Avery School Question will need to pass.

Ms. Baker, Asst. Town Administrator, informed all that the Proponent/Opponent Statements are due on December 10, 2009. She went on to say that there will be a (yes) and (no) next to the ballot questions and also an explanation for each decision—the statement will consist of 250 words or less. Ms. Baker informed the Board that the Avery Pride Group will write the Proponent Statement for the Board-- She did not have anyone, as yet, submit an Opponent Statement. She informed all that a statement is needed; and if an Opponent Statement is not received, Town Counsel will be instructed to write one for the Ballot Questions.

Ms. Baker informed all that Bond Counsel reviewed this matter before it went to Special Town Meeting. Additionally, Town Counsel has concurred with Bond Counsel relative to the scope of the Athletic Field and it was fully approved for Town Meeting—everything going forward is fine.

Ms. MacDonald made a motion to call a Special Local Election to be held on the same date as the State Election, January 19, 2009, and that this Board further vote to direct the following questions be placed upon the official Local Election Ballot; seconded by Mr. MacDonald.

Debt Exclusion Ballot Question #1

Shall the town of Dedham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to design, construct, originally equip and furnish a new Elementary School to be built in the vicinity of Pottery Lane in order to replace the current Avery School, including the cost of a Project Manager and other related costs?
Yes _____ No _____.

Debt Exclusion Ballot Question #2

Shall the Town of Dedham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to renovate the Stone Park Athletic Complex, including the design and construction of a synthetic turf performance field, a track adjacent to the High School, a Press Box, Score Board, Restrooms, Bleachers, the conduit wiring for lights and related expenses?

Yes _____ No _____.

On the Vote: Mr. Reynolds, yes, Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Action by the Board

Hanna Auto Sales , 84 Curve Street—Administrative Change

Mr. Dellolacono made a motion to change the d/b/a from Michael Hanna to Hanna Auto Sales; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Request from Dedham Rotary “Christmas in Square” Permission hold the annual Christmas in the Square Tree Lighting event and also to place a sign behind the bench

Mr. Dellolacono made a motion to grant permission for the Dedham Rotary to hold the annual Christmas in the Square Christmas Tree lighting event and also be place a sign advertising the event behind the bench; seconded by Mr. MacDonald and voted unanimously.

Request from Dedham Showcase Cinema Delux for permission to have a midnight showing of the movie “Avatar” on December 17, 2009

Mr. Dellolacono made a motion to grant permission to Showcase Cinema for a midnight showing of the movie “Avatar” on December 17, 2009; seconded by Mr. MacDonald and voted unanimously.

At the conclusion of the vote Mr. Dellolacono asked if these late show requests by Showcase will continue going forward—he mentioned that there have been two late-midnight show requests over the past two months. He felt that these requests are something the Board should look at more closely.

Approval of Selectmen’s Meeting Minutes – October 5, 2009, October 26, 2009, November 9, 2009, and November 16, 2009

Ms. MacDonald made a motion to approve the Selectmen’s Meeting Minutes of October 5 and 26, 2009; seconded by Mr. Dellolacono and voted unanimously.

Ms. MacDonald made a motion to approve the Selectmen’s Meeting Minutes of November 9 and 16, 2009; seconded by Mr. MacDonald and voted unanimously.

OLD/NEW BUSINESS

Mr. MacDonald reminded all that on November 29, 2009, the Civatarese/Cushman Families will formally open their home to visitors to enjoy the annual Christmas Light Display. He commented that this is the 34th year the family has displayed their family home and yard to the Dedham community. He went on to say that it is a fun time for all.

Mr. MacDonald informed all, especially residents in the Riverdale Section, that the State Representative Rush of West Roxbury will be holding a meeting on November 16, 2009, relative to Harvey Beach. If available, Mr. MacDonald asked Dedham residents to attend this meeting. He went on to say that the meeting will be a preliminary discussion and a Task Force will be set up. Mr. MacDonald informed all that Representative Rush asked him to serve on the Task Force.

Ms. MacDonald asked for an update relative to the light request, red arrow, relative to the intersection of Elm Street and Washington Street.

Ms. MacDonald invited all to attend the Toys for Tots drive to be held at the American Legion on December 13, 2008. Drop off of unwrapped gifts are from 6:00 p.m. until 10:00 p.m. All toys collected will be distributed to the following: Home for Italian Children, Youth Commission, Dedham Housing and Childrens' Hospital.

Mr. Dellolacono commented that there is a new business in Dedham Square. Frank DeSario has opened a personal training service at the former Diana's Art and Jewelry Store.

Mr. Butler announced that the Town Administrator, William Keegan, was recently recognized by the ICMA in excellent local government management worldwide. He went on to say that Mr. Keegan was named Credentialed Manager. This acknowledgment recognized Mr. Keegan's 27 years in the profession and also his hard work and results over the years.

Mr. Butler informed all that at the December 10, 2009, Board Meeting, they take more time to discuss the Financial Policies further. Mr. MacDonald felt it was clearly the time to tweek and expand them and also time to direct the staff to review them going forward.

Mr. Dellolacono made a motion to enter into Executive Session pursuant to Chapter 39, Section 23B, for the purpose of discussing Collective Bargaining; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

The Selectmen did not reconvene in Open Session.

The meeting adjourned at 9:12 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Selectmen's Meeting held on November 19, 2009, which Minutes were approved on April 27, 2010.

Michael L. Butler, Chairman